

This matter was referred to United States Magistrate Lewis M. Blanton for a Report and Recommendation pursuant to 28 U.S.C. § 636(b). Judge Blanton issued a Report and Recommendation on May 26, 2010 that recommended that the case be remanded to the Commissioner for further proceedings. Judge Blanton found that the Administrative Law Judge erred in failing consider any limitations caused by Plaintiff's heart impairment. Judge Blanton recommended that the case be remanded in order for the Administrative Law Judge to properly develop the

medical record regarding Plaintiff's heart impairment to determine how it affects his ability in the workplace and to formulate a new residual functional capacity based on the complete medical record.

Any objections to Judge Blanton's Report and Recommendation had to be filed by June 9, 2010. As of this date, neither of the parties has filed an objection.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge Blanton is **SUSTAINED, ADOPTED AND INCORPORATED** herein.

IT IS FURTHER ORDERED that, pursuant to sentence-four of 42 U.S.C. § 405(g), the decision of the Administrative Law Judge is **REVERSED** and the case is **REMANDED** for further proceedings in accordance with the Report and Recommendation.

Dated this 29th Day of June, 2010.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE